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5 Attorney for Defendant
FAUSTINO AGUAYO
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

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12 UNITED STATES OF AMERICA,
13 Plaintiff,

CR. 05-118-MMC

14 vs.

**ORDER RE:
STIPULATION TO CONTINUE
STATUS CONFERENCE**

15 FAUSTINO AGUAYO, et al.,
16 Defendants.
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18 _____/

19 Defendant FAUSTINO AGUAYO, by and through his counsel of record
20 Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree
21 that the status conference presently set for Wednesday, April 4, 2007, at 2:30 p.m. be
22 continued until Wednesday, April 18, 2007, at 2:30 p.m.
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1 Assistant U.S. Attorney Counsel Dave Hall has met with all counsel and
2 negotiations are still ongoing as to all defendants with the exception of Elmer Bonilla
3 who does intend to enter a plea of guilty on March 28st. As to the other defendants,
4 additional time is necessary in order to resolve the matter without setting a trial date.
5 Additionally, counsel for defendant Aguayo is unavailable on April 11th and the
6 prosecutor is unavailable on April 4th. The next date that accommodates all counsel is
7 April 18th.

8 The time period from April 4, 2007, to April 18, 2007 would be deemed
9 excludable pursuant to 18 U.S.C. Section 3161(h)(8)(A), given that the ends of justice
10 served by granting a continuance outweigh the best interests of the public and of the
11 defendant in a speedy trial. Additionally, pursuant to 18 U.S.C. Section
12 3161(h)(8)(B)(ii) given the nature of the prosecution, the volume of the evidence, the fact
13 that wiretaps were involved, it is unreasonable to expect adequate preparation for pretrial
14 proceedings and for the trial within the time limits established by the Speedy Trial Act.

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17 Date: March 23, 2007


/s/ Randy Sue Pollock
RANDY SUE POLLOCK
Counsel for Defendant
FAUSTINO AGUAYO
On Behalf Of All Defendants

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21 Date: March 23, 2007

/s/ David Hall
DAVID HALL
Assistant United States Attorney

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25 SO ORDERED:

26 March 26, 2007


MAXINE M. CHESNEY
United States District Court Judge